

**OFFICE OF THE STATE COURT  
ADMINISTRATOR**

MINNESOTA JUDICIAL CENTER  
25 REV. DR. MARTIN LUTHER KING JR. BLVD.  
ST. PAUL, MINNESOTA 55155

**BRIDGET C. GERNANDER**  
GRANT PROGRAM ADMINISTRATOR

Phone: 651-284-4379  
Fax: 651-297-5636  
Email: [bridget.gernander@courts.state.mn.us](mailto:bridget.gernander@courts.state.mn.us)

**OFFICE FOR COLLABORATION AND  
DISPUTE RESOLUTION**

BUREAU OF MEDIATION SERVICES  
1380 ENERGY LANE, SUITE 2  
ST. PAUL, MN 55108

**MARIAH LEVISON**  
GRANT PROGRAM ADMINISTRATOR

Phone: 651-539-1409  
Fax: 651-643-3013  
Email: [mariah.levison@state.mn.us](mailto:mariah.levison@state.mn.us)

March 18, 2015

TO: Community Dispute Resolution Program Administrators

FROM: Bridget C. Gernander and Mariah Levison

RE: Community Dispute Resolution Program Grant Applications

Enclosed you will find information about and an application for the Community Dispute Resolution grant program. In order to ensure efficient use of state resources and to maximize effective outcomes for the grantee organizations, the State Court Administrator's Office (the Court) and Minnesota Office for Collaboration and Dispute Resolution (OCDR) are jointly administering the FY16 grant program. The total amount of Community Dispute Resolution grant funds available is \$260,000.

All applicants should be aware of the statutory program guidelines, which are attached for reference. If you know of other community dispute resolution programs that have not received funds in the past, please direct them to [www.mncourts.gov/cdr](http://www.mncourts.gov/cdr) for information on grant eligibility.

***The application deadline is April 24, 2015. By the deadline, one copy of the completed application and attachments must be submitted in person, postmarked, or emailed as a pdf to:***

Bridget C. Gernander  
Grant Program Administrator  
130 Minnesota Judicial Center  
25 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155  
[bridget.gernander@courts.state.mn.us](mailto:bridget.gernander@courts.state.mn.us)

## ***Community Dispute Resolution Program – Statutory Guidelines***

### ***Community Dispute Resolution Programs***

M.S. Chapter 494 provides that the State Court Administrator may award grants to community dispute resolution programs, *i.e.*, a process voluntarily entered by parties in disagreement using mediation or arbitration to reconcile the parties' differences. By statute, the following disputes are excluded from the mediation program:

1. any dispute involving violence against persons, including incidents arising out of situations that would support charges under §§ 609.221 to 609.2231, § 609.365, or any other felony charges;
2. any matter involving a person who has been adjudicated incompetent or relating to guardianship, conservatorship, or civil commitment;
3. any matter involving neglect or dependency, or involving termination of parental rights arising under §§ 260C.301 to 260C.328; and
4. any matter arising under § 626.557 or §§ 144.651 to 144.652, or any dispute subject to chapters 518 and 518B, whether or not an action is pending, except for post dissolution property distribution matters and post dissolution parenting time matters. This shall not restrict the present authority of the court or departments of the court from accepting for resolution a dispute arising under chapters 518 and 518B, or from referring disputes arising under chapters 518 and 518A to for-profit mediation.

### ***Program Eligibility***

M.S. 494.05 establishes eligibility requirements that grantees must meet. A community dispute resolution program is eligible for a grant if it:

1. complies with M.S. Chapter 494 and the guidelines and rules adopted under this chapter;
2. is certified by the State Court Administrator under § 494.015, subd. 2;
3. **for Court funds**, demonstrates that at least one-half of its annual budget will be derived from sources other than the state. This criterion **does not** apply to funds allocated by the OCDR;
4. documents evidence of support within its service area by community organizations, administrative agencies, and judicial and legal system representatives; and
5. is exempt or has applied for exemption from federal taxation under section 501(c)(3) of the Internal Revenue Code, or is administered and funded by a city, county, or court system as a distinct, identifiable unit that has a separate and distinguishable operating budget.

### ***Funding***

Grants under this section must be used for the costs of operating approved programs. For funds allocated by the Court, a program is eligible to receive a grant equal to one-half of its estimated annual budget, not more than \$25,000 a year. This restriction does not apply to funds allocated by the OCDR.

## **Community Dispute Resolution Program**

### ***Grant Information and Criteria***

#### ***1.0 Grant Information***

##### ***1.1 Name of Project***

Community Dispute Resolution Program

##### ***1.2 Purpose and Description***

To provide partial funding to qualified community dispute resolution programs.

##### ***1.3 Scope of Grantee's Role***

To create or expand a community dispute resolution program pursuant to guidelines established by the State Court Administrator.

##### ***1.4 Issuing Office***

State Court Administrator's Office and Office for Collaboration and Dispute Resolution.

##### ***1.5 Project Funding***

This project is funded by appropriations from the Minnesota Legislature. There is \$260,000 available for FY16 grants to all programs. The amount of the award which is allocated by the Court must no more than one-half of the estimated program budget up to \$25,000. This restriction does not apply to the portion of the funds that are allocated by the OCDR.

##### ***1.6 Project Period***

Funding must be expended for services provided during the state fiscal year, July 1, 2015, or the effective date of the appropriation, to June 30, 2016.

##### ***1.7 Rejection of Proposals***

The State Court Administrator reserves the right to reject any or all grant proposals received which do not, in the office's opinion, serve the best interest of the Minnesota Supreme Court or the intent of this project. This grant proposal is made for information or planning purposes only.

##### ***1.8 Grantee Costs***

Neither the Supreme Court nor the State Court Administrator's Office will be liable for any expenses incurred by any prospective grantee prior to the issuance of the grant.

##### ***1.9 Inquiry***

Questions may be directed to either Ms. Bridget Gernander or Ms. Mariah Levison, at the address specified in the transmittal letter covering this grant application.

##### ***1.10 Addenda to the Application***

Any changes made in the grant application will be brought to the attention of the parties that have received or requested this grant application.

*1.11 Copies of Proposal, Signature*

One copy of a grantee's proposal will be required. An official who has authority to bind the organization to the proposed obligations should sign this copy.

*1.12 Rules for Grant Proposal Submission*

All grant proposals must be in writing. All proposals must be delivered by hand or mailed to: Bridget C. Gernander, Grant Program Manager, 130 Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, Minnesota 55155, on or before 4:30 p.m. on April 24, 2015.

*1.13 Proposals Are Property of Supreme Court and the Office for Collaboration and Dispute Resolution*

Upon submission, all proposals become the property of the Supreme Court and the Office for Collaboration and Dispute Resolution, which has the right to use any or all ideas presented in any proposal submitted in response to this request for grant proposals, whether or not the proposal is accepted. All application materials are public data and may be made available to other interested organizations and individuals.

*1.14 Equal Employment Opportunity Statement*

Each prospective grantee shall certify their equal employment opportunity policies and practices.

*1.15 Contract Conditions*

The selected grantee agrees to the following conditions which shall be included as part of the final grant:

*a. Inspection and Audit*

The office and representatives of the Supreme Court, OCDR, and the Minnesota Legislative Auditor, or any of their duly authorized representatives, shall have access for purposes of audit and examination to any books, documents, papers, and records of the grantee.

*b. Certification of Non-profit Status*

The grantee must certify that it is exempt from federal taxation under section 501(c)(3) of the Internal Revenue Code or that the program is funded by a city, county, or court system as a distinct, identifiable unit that has a separate and distinguishable operating budget.

*1.16 Statistical Data*

The grantee must agree to collect and report statistical data as requested by the State Court Administrator and OCDR. Semi-annual progress reports shall be provided. The grantee must agree to make available to the State Court Administrator and OCDR, upon request, any other pertinent information required for research, evaluation, or other purposes.

*1.17 Evaluation and Notification*

Proposals shall be evaluated within six weeks of application deadline, on which date the successful grantee will be notified. Unsuccessful grantees shall also be notified.

### *1.18 Contract Terms*

If, during the performance of the project, the grantee deviates from the grant application program description or budget, the grant may, at the discretion of the Supreme Court and OCDR, be terminated at any time. If a dispute arises in the performance of the grant which cannot be settled between the parties, the dispute shall be submitted to arbitration pursuant to M.S. Chapter 572.

### *2.0 Grant Program Objectives*

1. Provide general operating funding to support community dispute resolution programs in Minnesota.
2. Increase access to cost-effective, culturally appropriate dispute resolution for all Minnesota residents by expanding access to community mediation.
3. Enhance CDRP sustainability and quality through a combination of operating and performance based funding.
4. Increase the quality of dispute resolution services in Minnesota through partnership between funded centers, the Court and OCDR.
5. Deploy CDRP infrastructure to address matters of public interest.

### *3.0 Criteria for Selection*

All applications received will be evaluated by a joint grant review committee of the Court and OCDR. The following factors will be considered in making this selection:

- a. **Demonstrated success in providing services to clients - 10 points**  
Success is indicated by number of clients served with available resources as reported on the statistical form and level of satisfaction as demonstrated on the evaluation forms. Points will also be awarded for **documented** quality assurance measures such as periodic observation of volunteers, apprenticeship that exceeds the minimum criteria outlined in the CDRP Operational Guidelines, use of client and co-mediator evaluation forms, amount of training provided, quality of trainers utilized (i.e., level of education, amount of practice and training experience), etc.
- b. **Demonstrated community interest for such a program – 10 points**  
Community interest is demonstrated by documenting requests for services from community members and partner organizations, conducting outreach to educate the community about your services and ensuring that your services are not duplicative with other organizations in your service area. Letters from partner organizations describing the need for the program and the benefits to the community should be included.
- c. **Fiscal and organizational viability of entities delivering or proposing to deliver the service – 10 points**  
Organizational viability can be demonstrated by compliance with Statute 494 and its Operating Procedures, as well as other measures of good governance including but not limited to quality and retention of staff, quality and retention of volunteer mediators, engagement of the Board of Directors, and audits. Fiscal viability can be demonstrated by diversity of funding sources, in-kind support, sustainable growth,

and other factors. Diversity of funding is a key indicator because it leverages the grant funds to maximize mediation services.

d. **Provision of services to underserved locations or populations – 10 points**

One purpose of the legislative funding is to make affordable dispute resolution available to all Minnesotans. This may be accomplished by a CDRP expanding service to a county that has not previously been served or by a CDRP documenting the need to expand access in a currently served county through additional programming or to reach an underserved population within the organization's service area.

e. **Responsiveness to application and grant requirements – 10 points**

The grant application narrative should be clearly written and the application should include all required elements. If the organization has been a previous grant recipient, the organization's history of complying with grant reporting requirements should be summarized.

#### 4.0 *Reporting Requirements*

- a. **Progress Reports** – Grant recipients shall submit joint grant progress reports twice per grant cycle to both the Court and OCDR staff via email. Deadlines for the reports will be included in the grant contract .
- b. **Financial Reporting** – Grant recipients shall invoice at least quarterly to be reimbursed for expenses under the grant agreement. The invoice form will be included in the grant contract. For the Court, the invoice shall be accompanied by financial reports documenting the expenses for which reimbursement is requested.
- c. **Annual Grantee Meeting** – Grant recipients shall attend one joint meeting per year. Remote access to the meeting will be provided.

## Community Dispute Resolution Program

***FY16 Grant Application  
July 1, 2015 - June 30, 2016***

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Web Site: \_\_\_\_\_

Name of Director: \_\_\_\_\_ Telephone: \_\_\_\_\_

Name and Title of Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

### Amount of Grant Requests

Court Grant Request: \$	OCDR Grant Request: \$
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Please respond to the following statements:

1. The applicant is a 501(c) (3) tax-exempt organization: \_\_\_\_ Yes \_\_\_\_ No
2. The applicant is funded by a city, county or court system as a distinct, identifiable unit that has separate and distinguishable operating budget: \_\_\_\_ Yes \_\_\_\_ No
3. The applicant organization has an equal opportunity statement and conducts its employment practices in accord with the policy: \_\_\_\_ Yes \_\_\_\_ No \_\_\_\_ Not Applicable
4. The applicant organization complies with all statutory eligibility criteria for community dispute resolution program grants: \_\_\_\_ Yes \_\_\_\_ No
5. The information provided by the applicant organization to the State Court Administrator's Office for certification under Minn. Stat. § 494.015, subd. 2 is still accurate: \_\_\_\_ Yes \_\_\_\_ No

*I certify that all information in this grant application is true and correct to the best of my knowledge and that I have the authority to commit the Organization to the work proposed. This application is valid for a minimum of ninety days from the date of submission.*

Signature of Director: \_\_\_\_\_ Date: \_\_\_\_\_

### ***Narrative***

1. Describe your organization and its major services/activities, including but not limited to the types of disputes handled, the referral sources for disputes, the procedures used to process cases, the service area served by your program, a list of other known dispute resolution programs operating within the service area, and a description of any potential duplication of services.
2. How does your organization evaluate services to clients? What quality assurance measures are in place for program volunteers? Samples of any evaluations, protocols, or credentials should be attached as Appendix 8.
3. How has your organization worked with community partners to serve clients? What kind of community outreach have you done in the past year? Do you have any plans for outreach in the upcoming year? Letters from partner organizations describing the need for your program and the benefits to the community should be attached as Appendix 3.
4. Describe the strengths of your organization, addressing fiscal and organizational viability including the engagement of the Board of Directors and their process for financial review. Reference compliance with Statute 494 and its Operating Procedures, as applicable. If your organization has experienced staff turnover in the past year please provide context for the turnover. Describe your organization's experience with volunteer mediator retention.
5. Assuming your organization received the full amount requested from the Courts, describe how the grant would be spent and the goals for the grant cycle.
6. Assuming your organization received the full amount requested from the OCDR, describe how the grant would be spent and the goals for the grant cycle, including any expansion of service to new locations or populations as applicable.

### ***Appendices***

- ☐ Appendix 1 - Complete the attached Statistical Form.
- ☐ Appendix 2 - Complete the attached Operating Budget Form. Attach a financial statement for each of the prior two years of operation.
- ☐ Appendix 3 - Attach documented evidence of support within your service area by community organizations, administrative agencies, and judicial and legal system representatives.
- ☐ Appendix 4 - Attach a list of current board members with brief biographies including relevant experience and credentials and length of time with organization.
- ☐ Appendix 5 – Attach a list of current staff members with brief biographies including relevant experience and credentials and length of time with organization.
- ☐ Appendix 6 – Attach your organization's Agreement to Mediate form. CDRP Operational Guidelines section 2.08 requires the form to describe the dispute resolution



process and its voluntary nature and include:

- (1) a statement explaining that the neutral cannot be a witness in a subsequent judicial or administrative proceeding and that communications during the dispute resolution process cannot be used in judicial or administrative proceedings; and
- (2) a statement explaining the binding or non-binding effect of the settlement agreement.

- ☐ Appendix 7 - Attach a list of trainings provided through your organization over the past year. Attach certification of trainings as applicable. Training curriculum content is governed by CDRP Operational Guidelines section 6.02, subsection 11.
- ☐ Appendix 8 – Attach samples of forms and tools used in the evaluation protocol described in Question 2 above.

## Appendix 1 - Statistical Form

Information provided should be for 2014 calendar year.

### I. MEDIATION

1. NUMBER OF ACTIVE<sup>1</sup> VOLUNTEERS \_\_\_\_\_

2. NUMBER OF MEDIATION REFERRALS \_\_\_\_\_ TOTAL

Breakdown of Referrals by Type

Court	#	Community	
Conciliation		Law Enforcement	
Housing		Other Government	
Harassment		Landlord	
Family		Business	
Other (specify)		Family	
		Community Organization	
		School	
		Other (specify)	

3. NUMBER OF CASES MEDIATED \_\_\_\_\_ TOTAL

NUMBER OF MEDIATION SESSIONS \_\_\_\_\_ TOTAL

Breakdown of Cases by Type

Court	#	Community	
Conciliation		Neighborhood	
Housing		Landlord	
Harassment		Business	
CHIPS		Family	
Other (specify)		Community Agency	
		School	
		Other (specify)	

4. DISPOSITION OF CASES

Mediated/ agreement \_\_\_\_\_

Mediated/no agreement \_\_\_\_\_

Conciliation prior to mediation \_\_\_\_\_

Party refused to participate \_\_\_\_\_

Unable to contact or schedule \_\_\_\_\_

Other (Specify): \_\_\_\_\_

5. NUMBER OF PARTIES SERVED \_\_\_\_\_ TOTAL

Information only and/or referral elsewhere \_\_\_\_\_

Clients served only through case development \_\_\_\_\_

Number clients served through mediation \_\_\_\_\_

<sup>1</sup> Defined as having provided service in at least one case during the year and having met the statutory requirements for training and continuing education.

## **II. OTHER DISPUTE RESOLUTION SERVICES**

	Total # of unduplicated individuals	Total # of hours of service
Circles		
Facilitation		
Consulting / Coaching		
Restorative Justice Victim Offender		
Other (specify)		
TOTAL		

## **III. PREVENTION SERVICES**

Education: Training on Dispute Resolution Skills (e.g., training of volunteers, students)

Total Unduplicated Individuals Served \_\_\_\_\_

Outreach: Informing Public about CDR Services

Total Unduplicated Individuals Served \_\_\_\_\_

## Appendix 2

When does your fiscal year begin and end? \_\_\_\_\_

Use the end date of your fiscal year to complete the columns on this form.

Expenses		Actual Expenses for 2014	Budgeted Expenses for 2015	Anticipated Expenses for 2016
List each employee	2015 FTE			
Total Fringes for Above				
TOTAL Personnel				
Rent/Building				
Utilities				
Phone				
Equipment				
Rental/Leasing				
Purchase				
Supplies				
Travel				
Professional Development & Training				
Audit				
Client Service Contracts, e.g. Interpreters				
Administrative Contracts, e.g. Maintenance, Accounting				
Technology Costs, e.g. IT Support, Software Licenses				
Insurance				
Other ( <i>specify</i> )				
TOTAL Non-Personnel				
TOTAL EXPENSES				

**Appendix 2 (continued)**

When does your fiscal year begin and end? \_\_\_\_\_

Use the end date of your fiscal year to complete the columns on this form.

<b>Revenue Source</b>	<b>Actual Revenue for 2014</b>	<b>Budgeted Revenue for 2015</b>	<b>Anticipated Revenue for 2016</b>
Court CDR Grant			
OCDR Grant			
Foundations; Corporations			
United Way			
Individuals; Firms; Events			
Other State Government			
County Government			
Other Local Government			
Federal ( <i>please specify</i> )			
Client Fees; Administrative Fees			
Training Fees			
Other ( <i>specify</i> )			
<b>TOTAL REVENUE</b>			

1. List sources to which applications for future funding for this project have been made. Indicate in parentheses those sources from which commitments have been received for FY16, which were denied and which are pending.
2. Describe your organization's plan for private fundraising.
3. Describe any major changes in revenues or expenses anticipated during the grant period.
4. Detail any parts of your budget where in-kind donations are used. Describe how the amount of the in-kind donation was calculated.
5. Attach two years of financial statements.